

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

PREFERRED TAX SERVICE, INC.
a Delaware corporation
Plaintiff,

v.

THE TAX AUTHORITY, INC.
a New Jersey corporation
and

KENNETH M. LEESE
and

ROBERT A. PIANE
and

ROBERT A. PIANE, JR.
and

PIANE CATERERS, INC.
a Delaware corporation
Defendants.

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Civil Action No. _____

NOTICE OF MOTION FOR A TEMPORARY RESTRAINING ORDER

TO: The Tax Authority
c/o Janice E. Clifton
7 Hayes Court
Wilmington, DE 19808

Kenneth Leese
327 Tom Brown Road
Morristown, NJ 08057


Robert A. Piane
4625 Sylvanus Drive
Rockland Hills
Wilmington, DE 19803

Piane Caterers, Inc.
c/o Richard E. Franta
Suite 102, The Dorset
1301 N. Harrison St.
Wilmington, DE 19806

Robert A. Piane, Jr.
790 Salem Church Road
Newark, DE 19702

PLEASE TAKE NOTICE that the attached Motion for a Temporary Restraining Order
will be presented to the Court on December ___, 2005 at _____ a.m.

BY:



J. R. Julian No.: 488
J. R. JULIAN, P.A.
824 Market Street
Suite 1001
P.O. Box 2171
Wilmington, DE 19899
(302) 658-6700
Attorneys for Plaintiff

ORIGINAL

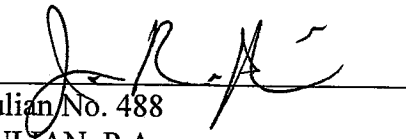
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v.
THE TAX AUTHORITY, INC.
a New Jersey corporation
and
KENNETH M. LEESE
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ROBERT A. PIANE
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ROBERT A. PIANE, JR.
and
PIANE CATERERS, INC.
a Delaware corporation
Defendants.

Plaintiff, through its undersigned counsel, hereby moves the Court, pursuant to Federal Rule of Civil Procedure 65(b), (c) and (d), for an order temporarily restraining Piane Caterers, Inc., A Delaware corporation (“Piane Caterers”), Robert A. Piane (“Piane”) and Robert A. Piane, Jr. (“Piane Jr.”) from renting any office space to Kenneth M. Leese and from renting any office space to The Tax Authority, Inc., a New Jersey corporation (“The Tax Authority”), in any area with the zip code 19802 and temporarily restraining Kenneth M. Leese and the Tax Authority from using any property owned by Piane Caterers, Piane or Piane Jr. for any purpose whatsoever including the placement of signs or making any improvements, repairs or other preparations and temporarily restraining Kenneth M. Leese and The Tax Authority from owning or operating, directly or indirectly, any individual income tax return preparation business in any area with the zip code 19802 and temporarily restraining Kenneth M. Leese and The Tax Authority from

using, directly or indirectly in any manner whatsoever all customer lists, employee lists, pricing strategy information, marketing methods, operational systems and other information about Preferred Tax Service, Inc. and all copies and other recordings thereof and any notes therefrom and instructing Kenneth M. Leese and The Tax Authority to return to Preferred Tax Service, Inc., a Delaware corporation, all customer lists, employee lists, pricing strategy information, marketing methods, operational systems and other information about Preferred Tax Service, Inc. and all copies and other recordings thereof and any notes therefrom. The grounds for this motion are as follows:

1. Defendants are in direct competition with Preferred Tax.
2. Defendants have used wrongful and unfair acts to obtain office space directly across the street from Preferred Tax's office and to obtain other confidential, proprietary and trade secret information.
3. Defendants will benefit from their wrongful and unfair acts by competing unfairly with Preferred Tax.
4. Plaintiff Preferred Tax will suffer immediate, irreparable harm from defendants' wrongful and unfair acts.
5. Preferred Tax is in imminent danger of losing customers and revenue due to defendants' wrongful acts.
6. The disturbance of Preferred Tax's existing customer relationships cannot be adequately remedied by compensatory damages.
7. Notices of this motion were hand delivered to Defendants on December ____, 2005, as set forth in the attached Affidavit of Service.



J. R. Julian No. 488
J. R. JULIAN, P.A.
824 North Market Street
Suite 1001
P.O. Box 2171
Wilmington, DE 19899-2171
(302) 658-6700
Attorneys for Plaintiff

Dated: December 16, 2005

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Civil Action No. _____

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IT IS HEREBY ORDERED this ____ day of December, 2005 that (1) Piane Caterers, Inc., A Delaware corporation ("Piane Caterers"), Robert A. Piane ("Piane") and Robert A. Piane, Jr. ("Piane Jr.") are prohibited from renting any office space to Kenneth M. Leese and are prohibited from renting any office space to The Tax Authority, Inc., a New Jersey corporation ("The Tax Authority"), in any area with the zip code 19802. (2) Further ordered that Kenneth Leese and the Tax Authority are prohibited from using any property owned by Piane Caterers, Inc., Piane or Piane Jr. for any purpose whatsoever including the placement of signs or making any improvements, repairs or other preparations. (3) Further ordered that Kenneth M. Leese and The

Tax Authority are prohibited from owning or operating, directly or indirectly, any individual income tax return preparation business in any area with the zip code 19802 for a period to be determined by the Court. (4) Further ordered that Kenneth M. Leese and The Tax Authority are prohibited from using, directly or indirectly, in any manner whatsoever and hereby are instructed to return to Preferred Tax Service, Inc., a Delaware corporation, all customer lists, employee lists, pricing strategy information, marketing methods, operational systems and other information about Preferred Tax Service, Inc. and all copies and other recordings thereof and any notes therefrom within seven (7) calendar days following the signing of this Order.

United States District Court Judge

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DISTRICT OF DELAWARE

PREFERRED TAX SERVICE, INC.
a Delaware corporation
Plaintiff,

v.

THE TAX AUTHORITY, INC.
a New Jersey corporation
and

KENNETH M. LEESE
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and

ROBERT A. PIANE, JR.
and

PIANE CATERERS, INC.
a Delaware corporation
Defendants.

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ORDER OF PERMANENT INJUNCTION

Ordered this ____ day of December 2005 that Piane Caterers, Inc., A Delaware corporation ("Piane Caterers"), Robert A. Piane and Robert A. Piane, Jr. are prohibited from renting any office space to Kenneth M. Leese and are prohibited from renting any office space to The Tax Authority, Inc., a New Jersey corporation ("The Tax Authority"), in any area with the zip code 19802 for a period of five years from the date of the entry of this Order. Further ordered that Kenneth M. Leese and The Tax Authority are prohibited from owning or operating, directly or indirectly, any individual income tax return preparation business in any area with the zip code 19802 for a period of five years from the date of the entry of this Order. Further ordered that Kenneth Leese and the Tax Authority are prohibited from using any property owned by Piane Caterers, Inc., Piane or Piane Jr. for any purpose whatsoever including the placement of signs or making any improvements, repairs or other preparations for a period of five years from the date

of the entry of this Order. Further ordered that Kenneth M. Leese and The Tax Authority are prohibited from using, directly or indirectly in any manner whatsoever and are hereby instructed to return to Preferred Tax Service, Inc., a Delaware corporation, all customer lists, employee lists, pricing strategy information, marketing methods, operational systems and other information about Preferred Tax Service, Inc. and all copies and other recordings thereof and any notes therefrom.

United States District Court Judge